

ORDINANCE NO. 2132

**AN ORDINANCE REVISING TEMPORARY ON-SALE
INTOXICATING LIQUOR LICENSES AND THEREBY AMENDING
REVISED CITY CODE – 1982 SECTION 5-209(6), 5-209(7), 5-209(8) AND
ADDING 5-209(9)**

The City of Coon Rapids does ordain:

Section 1. Revised City Code – 1982 Sections 5-209(6) is hereby amended as follows:

(deletions in brackets, additions double underlined)

5-209 Types of Licenses and Fees.

(6) Temporary On-Sale Intoxicating Liquor Licenses-Wine Tasting. The Council may issue temporary on-sale licenses for the sale of intoxicating liquor, subject to the following:

(a) The license will only be issued to a Coon Rapids based charitable, religious or non-profit organization in existence for at least three years.

(b) A temporary on-sale intoxicating liquor license will only be issued for the purpose of a licensee to conduct a wine tasting of not more than four hours duration on premises the organization owns or leases or has donated to it, or on the licensed premises of a holder of an on-sale intoxicating liquor license that is not a temporary license. Such wine tasting will be held in connection with a social event sponsored by the licensee.

(c) The license will be issued for a specific date, time, and place.

(d) No more than three temporary on-sale intoxicating licenses for the purpose of conducting a wine tasting will be issued to any one eligible organization in any calendar year.

(e) The license fee will be established from time to time by ordinance of the City Council.

(f) No license issued under this subdivision will be valid unless first approved by the Commissioner of Public Safety.

(g) All provisions of Minnesota Statute §304A.418 shall apply.[Revised 2/17/09, Ordinance 1999]

Section 2. Revised City Code – 1982 Sections 5-209(7) is hereby amended as follows:

(deletions in brackets, additions double underlined)

5-209 Types of Licenses and Fees.

~~[(7) Off sale liquor establishments shall be separate, distinct entities with no entrances from other business activities, and shall have a minimum floor area of 2,500 square feet devoted to the liquor operations. Off sale intoxicating liquor establishments shall be located only in those zoning districts where specifically authorized under Title 11 of this Code.~~

(a) ~~Class A Off sale Intoxicating Liquor Licenses. No Class A off sale liquor establishments shall be located within one mile radius of any other licensed Class A off sale intoxicating liquor establishment. The City Council may issue no more than eight Class A Off sale Intoxicating Liquor Licenses annually.[Revised 12/2/08,~~

~~Ordinance 1995]~~

- ~~(b) Class B Off sale Intoxicating Liquor Licenses. No Class B Off sale liquor establishments shall be located within a two mile radius of any other licensed Class B Off sale intoxicating liquor establishment. Class B liquor operations must be in conjunction with and secondary to an approved primary use which shall have a minimum floor area of 50,000 square feet. The liquor operation may not be sold or transferred in any manner to another party except as part of the sale or transfer of the primary use. The liquor operations shall be attached to the primary use, but shall be a separate and distinct entity from the primary use with separate entrances, warehouses and checkout lanes. The floor area of the liquor operation shall not exceed five percent of the total gross floor area of the primary use. The City Council may issue no more than two Class B Off sale Intoxicating Liquor Licenses annually.[Revised 3/23/93, Ordinance 1443][Revised 5/6/97, Ordinance 1602] [Revised 6/4/02, Ordinance 1765][Revised 12/2/08, Ordinance 1995]~~

(7) Temporary On-Sale Intoxicating Liquor Licenses-Other. The Council may issue temporary on-sale licenses for the sale of intoxicating liquor, subject to the following:

- (a) The license will only be issued to a Coon Rapids based charitable, religious or non-profit organization in existence for at least three years.
- (b) Such temporary on-sale intoxicating liquor sales shall be limited to strong beer and wine only and will be allowed only in connection with a social event sponsored by the licensee.
- (c) A temporary on-sale intoxicating liquor license may authorize on-sales on premises other than the premises the organization owns or permanently occupies.
- (d) The license will be issued for a specific date, time, and place.
- (e) No license will be longer than four consecutive days, and the City Council shall issue no more than 12 days' worth of temporary licenses to any one organization in one calendar year.
- (f) The license fee will be established from time to time by ordinance of the City Council.
- (g) No license issued under this subdivision will be valid unless first approved by the Commissioner of Public Safety.

Section 3. Revised City Code – 1982 Sections 5-209(8) is hereby amended as follows:

(deletions in brackets, additions double underlined)

5-209 Types of Licenses and Fees.

~~[(8) The holder of both an on sale wine license and an on sale 3.2 percent malt liquor license may sell intoxicating malt liquors at on sale without an additional license provided that the gross receipts of the establishment subject to the licenses are at least 60 percent attributable to the sale of food. Within 15 days of a written request, the license holder shall provide the City with such information required in that request to establish the amount of gross receipts attributable to food sales. Failure to provide such information shall constitute grounds for revocation of the licenses.[Revised 10/3/95, Ordinance 1544][Revised 9/18/01, Ordinance 1738] [Revised 6/4/02, Ordinance 1765]]~~

(8) Off-sale liquor establishments shall be separate, distinct entities with no entrances from other business activities, and shall have a minimum floor area of 2,500 square feet devoted to the liquor operations. Off-sale intoxicating liquor establishments shall be located only in those zoning districts where specifically authorized under Title 11 of this Code.

(a) Class A Off-sale Intoxicating Liquor Licenses. No Class A off-sale liquor establishments shall be located within one mile radius of any other licensed Class A off-sale intoxicating liquor establishment. The City Council may issue no more than eight Class A Off-sale Intoxicating Liquor Licenses annually.[Revised 12/2/08, Ordinance 1995]

(b) Class B Off-sale Intoxicating Liquor Licenses. No Class B Off-sale liquor establishments shall be located within a two mile radius of any other licensed Class B Off-sale intoxicating liquor establishment. Class B liquor operations must be in conjunction with and secondary to an approved primary use which shall have a minimum floor area of 50,000 square feet. The liquor operation may not be sold or transferred in any manner to another party except as part of the sale or transfer of the primary use. The liquor operations shall be attached to the primary use, but shall be a separate and distinct entity from the primary use with separate entrances, warehouses and checkout lanes. The floor area of the liquor operation shall not exceed five percent of the total gross floor area of the primary use. The City Council may issue no more than two Class B Off-sale Intoxicating Liquor Licenses annually.[Revised 3/23/93, Ordinance 1443][Revised 5/6/97, Ordinance 1602] [Revised 6/4/02, Ordinance 1765][Revised 12/2/08, Ordinance 1995]

Section 4. Revised City Code – 1982 Sections 5-209(9) is hereby added as follows:

(deletions in brackets, additions double underlined)

5-209 Types of Licenses and Fees.

(9) The holder of both an on-sale wine license and an on-sale 3.2 percent malt liquor license may sell intoxicating malt liquors at on-sale without an additional license provided that the gross receipts of the establishment subject to the licenses are at least 60 percent attributable to the sale of food. Within 15 days of a written request, the license holder shall provide the City with such information required in that request to establish the amount of gross receipts attributable to food sales. Failure to provide such information shall constitute grounds for revocation of the licenses.[Revised 10/3/95, Ordinance 1544][Revised 9/18/01, Ordinance 1738] [Revised 6/4/02, Ordinance 1765]

Introduced this 17th day of February 2015.

Adopted this ____ day of _____ 2015.

Jerry Koch, Mayor

ATTEST:

Joan Lenzmeier, City Clerk